

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: September 22, 2004

Signature:   
(Richard H. Anderson)

Docket No.: 27702/10054B  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re patent Application of:  
Craig A. Bonda

Application No.: 10/785,271

Confirmation No.: 3869

Filed: February 24, 2004

Art Unit: 1616

For: PHOTOSTABILIZATION OF A SUNSCREEN  
COMPOSITION WITH A COMBINATION OF  
AN  $\alpha$ -CYANO- $\beta$ , $\beta$ -DIPHENYLACRYLATE  
COMPOUND AND A DIALKYL  
NAPHTHALATE

Examiner: M. Lamm

**TERMINAL DISCLAIMER TO OBVIATE**  
**A DOUBLE PATENTING REJECTION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

The undersigned, having power of attorney from the Assignee, CPH Innovations Corporation, has executed this document on behalf of petitioner, CPH Innovations Corporation. Petitioner is a Delaware corporation, located at 311 South Wacker Drive, Suite 4700, Chicago, Illinois 60606, and is the owner of 100% interest in the instant application, as shown by the Assignment filed on June 18, 2004 (copy attached). Petitioner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer of Patent Application No. 10/361,223. Petitioner is the owner of 100% interest in U.S. Patent Application No. 10/361,223 as shown by the Assignment recorded on May 16, 2003, at Reel 14072, Frame 0666. Petitioner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and U.S. Patent Application No. 10/361,223 are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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In making the above disclaimer, petitioner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the Patent No. 10/362,223, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

A check for the Terminal Disclaimer fee, in the amount of (\$110.00) is attached.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereof.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith to our Deposit Account No. 13-2855, under Order No. 27702/10054B. A duplicate copy of this paper is enclosed.

Dated: September 22, 2004

Respectfully submitted,

By Richard H. Anderson

Richard H. Anderson

Registration No.: 26,526

MARSHALL, GERSTEIN & BORUN LLP

233 S. Wacker Drive, Suite 6300

Sears Tower

Chicago, Illinois 60606-6357

(312) 474-6300

Attorney for Applicant